

REMARKS

Claims 1, 2 and 4-17 are pending. Claims 1, 10 and 11 have been amended. Claim 3 has been canceled. The drawings have been amended. The title of the invention has been replaced with a new title. No new matter has been presented.

Drawing corrections to Fig. 14 were requested, and are included in this response.

The title was objected to for not being descriptive. The title has been amended in accordance with the Examiner's helpful suggestion.

Claims 10-11, 13-14 and 17 were rejected under 35 USC 102(b) as being anticipated by Vriens, U.S. Patent 5,813,753. This rejection is respectfully overcome.

Claim 10 has been amended to recite "mirror surface particles each having a mirror surface, the mirror surface particles being dispersed in the surface layer of the resin filled in the recess at the rate of 10% or below of the surface area." Applicant respectfully submits that Vriens fails to teach or suggest this feature.

The Examiner noted that the features recited in original claim 11 are directed to a method of forming the mirror surface and were afforded no patentable weight because the method of forming the device is not germane to the issue of patentability of the device itself. Applicant submits that the limitation "mirror surface particles each having a mirror surface, the mirror surface particles being dispersed in the surface layer of the resin filled in the recess at the rate of 10% or below of the surface area" further defines the LED being claimed and should thus be afforded patentable weight. Thus, the features of claim 10 are not taught or suggested by Vriens.

Claims 11, 13, 14 and 17 are allowable at least due to their respective dependencies. Applicant requests that this rejection be withdrawn.

Claims 1-2, 5, 7-9, 12, 15-16 were rejected under 35 USC 103(a) as being unpatentable over Vriens and further in view of Suehiro, U.S. patent publication 2003-0201451. This rejection is respectfully overcome.

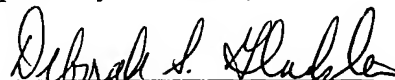
Claim 1 has been amended to incorporate the limitation of claim 3, which the Examiner indicated contained allowable subject matter. The remaining claims are allowable at least due to their respective dependencies. Applicant therefore requests that this rejection be withdrawn.

Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Vriens in view of Suehiro as applied to claim 1, and further in view of Budd, U.S. Patent 5,593,782. Claim 6 is allowable at least due to its dependency from claim 1. Applicant requests that this rejection be withdrawn.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 204552029700.

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Respectfully submitted,

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Attachments

REPLACEMENT SHEET

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Fig. 14 to include the legend "prior art".

Attachment: Replacement sheet - Fig. 14